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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHANNON, MICHAEL R

ART UNIT PAPER NUMBER

2614

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,417

Applicant(s)

DAVIES ET AL.

Examiner

Michael R Shannon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "414" has been used to designate both Cable and Display FCM. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "412" has been used to designate both 1394 Bus and First Device DCM. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 350, 214. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 27 is objected to because of the following informalities: Claim 27 states "A computer readable medium comprising instructions, which when executed on a processor, **perform a method for compressing data**". The "method for compressing data" does not have any basis or mention in the specification. It is understood and taken during the prior art rejection below to read "A computer readable medium comprising instructions, which when executed on a processor, **perform a method for**

monitoring audiovisual (AV) content on a child device using a parent controller device". Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sitnik (US Pub. No. 2002/0010935), cited by examiner in view of Kerman (USP 5,659,366), cited by examiner.

Regarding claim 1, the Sitnik reference discloses all of that which is discussed with regard to the claimed "audiovisual (AV) monitoring application for children on a parent controller device" as follows:

- The claimed "AV receiver on the parent controller device configured to access and receive AV content directed to at least one child device" is met by the ability to query the child television and display frames of currently viewed content [paragraph 0016].
- The claimed "AV receiver on the parent controller device configured to monitor and review the AV content directed to the child device to determine if the AV content includes at least one specified content" is met

by the ability for the parent to query a child television in order to establish what kind of content is currently being watched [0007-0008].

The Sitnik reference does not teach that “the parent controller device [is] configured to generate a warning when the AV content including the specified content is being actively sent to the child device”.

The Kerman reference teaches an alarm warning, which warns parents using an audible or visible alarm when an undesirable program is being received by the child's device [col. 8, line 60 – col. 9, line 5].

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a warning notification of undesirable content (as taught by Kerman), in order to allow the parent to be alerted when a young child selects a television program which has content that the parent or guardian considers to be inappropriate for the child.

Regarding claim 2, the Sitnik reference does not disclose that the aforementioned warning and the content directed to the child device are both displayed on the parent display device. The Sitnik reference simply discloses the ability to display the child's content on the parent's device [0016], and, as discussed earlier regarding claim 1, does not make mention of a warning at the parent device when a child device is receiving undesirable content. The claimed “AV monitoring application for children of claim 1 further comprising a display on the parent controller device configured to display both the warning and the AV content directed to the child device” is therefore further met by Kerman, wherein he discloses the use of a warning at the parent device [col. 8,

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line 60 – col. 9, line 5] and the background information regarding OSD and the ability to display messages (such as warnings) on the parent screen [col. 3, lines 3-12].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the warning as an OSD along with the objectionable content from the child's television on the parent display, in order to allow for simple notification/warning of objectionable content using pre-existing technology, such as OSD technology.

Regarding claim 3, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 2. However, the Sitnik reference does not teach the claimed "AV monitoring application for children of claim 2 further comprising a user interface configured to allow a user to input the specified content". This claim is met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value; upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 4, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 3. However, the Sitnik reference does not teach the claimed "AV monitoring application for children of claim 3 wherein the specified content is chosen from the group consisting of: explicit lyrics, explicit topics, or program titles". This claim is, again, met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value (industry standard ratings

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for defining the explicitness of a program); upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 5, the claimed “AV monitoring application for children of claim 1 wherein the AV receiver is configured to receive and display AV content directed to the parent controller device concurrently with AV content directed to the child device” is met by the ability for the master TV to display its received signal and the second received signal from the slave TV as a PIP window [0003], as disclosed in the background of the invention with regards to prior art Hiyoshi.

Regarding claim 6, the claimed “AV monitoring application for children of claim 1 further comprising a network, the child device and the parent controller device coupled to the network” is met by the TVs being interconnected via a bi-directional connection 20, which may be an in-home network [0014].

Regarding claim 7, the claimed “AV monitoring application for children of claim 6 wherein the network is a home audio/visual initiative (HAVI) network” is met by the discussion of a network protocol known as HAVI being used to interconnect home AV devices [0002].

Regarding claim 8, the claimed “AV monitoring application for children of claim 7 wherein the child device is a HAVI compliant device” is met by the discussion of each

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TV being coupled to the HAVI network, and therefore, inherently must be HAVI compliant in order to function within the network [0002 & 0014].

Regarding claim 9, the claimed "AV monitoring application for children of claim 8 wherein the parent controller device is a HAVI compliant device" is met by the discussion of each TV being coupled to the HAVI network, and therefore, inherently must be HAVI compliant in order to function within the network [0002 & 0014].

Regarding claim 10, the claimed "AV monitoring application for children of claim 9 wherein the parent controller device is a full audiovisual node (FAV) device" is met by the discussion of the master controller being able to recognize and control a slave device within a HAVI network [0002].

Regarding claim 11, the claimed "AV monitoring application for children of claim 1 further comprising: at least one child device coupled to a home audio/visual initiative (HAVI) network; and a HAVI compliant parent device coupled to the HAVI network and acting as the parent controller device" discusses the same limitations set forth in claims 6-10 and is met by the same discussions as set forth above regarding claims 6-10. For further reference, see paragraphs 0002 and 0014.

Regarding claim 12, the Sitnik reference discloses all of that which is discussed with regard to the claimed "parent controller device" as follows:

- The claimed "AV receiver configured to access AV content directed to at least one child device an audiovisual (AV) monitoring application for children that allows the parent controller device to monitor the AV content directed to the child device to determine if the AV content includes at least

one specified content” is met by the ability to query the child television and display frames of currently viewed content [paragraph 0016], and the ability for the parent to query a child television in order to establish what kind of content is currently being watched [0007-0008].

The Sitnik reference does not teach “a display to generate a warning when the AV content including the specified content is being actively sent to the child device”.

The Kerman reference teaches an alarm warning, which warns parents using an audible or visible alarm when an undesirable program is being received by the child’s device [col. 8, line 60 – col. 9, line 5].

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a warning notification of undesirable content (as taught by Kerman), in order to allow the parent to be alerted when a young child selects a television program which has content that the parent or guardian considers to be inappropriate for the child.

Regarding claim 13, the Sitnik reference does not disclose that the aforementioned warning and the content directed to the child device are both displayed on the parent display device. The Sitnik reference simply discloses the ability to display the child’s content on the parent’s device [0016], and, as discussed earlier regarding claim 12, does not make mention of a warning at the parent device when a child device is receiving undesirable content. The claimed “parent controller device of claim 12 wherein the display is configured to display both the warning and the AV content directed to the child device” is therefore further met by Kerman, wherein he discloses

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the use of a warning at the parent device [col. 8, line 60 – col. 9, line 5] and the background information regarding OSD and the ability to display messages (such as warnings) on the parent screen [col. 3, lines 3-12]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the warning as an OSD along with the objectionable content from the child's television on the parent display, in order to allow for simple notification/warning of objectionable content using pre-existing technology, such as OSD technology.

Regarding claim 14, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 12. However, the Sitnik reference does not teach the claimed "parent controller device of claim 12 further comprising a user interface configured to allow a user to input the specified content". This claim is met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value; upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 15, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 14. However, the Sitnik reference does not teach the claimed "parent controller device of claim 14 wherein the specified content is chosen from the group consisting of: explicit lyrics, explicit topics, or program titles". This claim is, again, met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value (industry standard ratings for

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defining the explicitness of a program); upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 16, the claimed “parent controller device of claim 12 wherein the AV receiver is configured to receive and display AV content directed to the parent controller device concurrently with AV content directed to the child device” is met by the ability for the master TV to display its received signal and the second received signal from the slave TV as a PIP window [0003], as disclosed in the background of the invention with regards to prior art Hiyoshi.

Regarding claim 17, the claimed “parent controller device of claim 12 wherein the parent controller device and the child device are coupled to a network” is met by the TVs being interconnected via a bi-directional connection 20, which may be an in-home network [0014].

Regarding claim 18, the claimed “parent controller device of claim 17 wherein the network is a home audio/visual initiative (HAVI) network” is met by the discussion of a network protocol known as HAVI being used to interconnect home AV devices [0002].

Regarding claim 19, the claimed “parent controller device of claim 18 wherein the child device is a HAVI compliant device” is met by the discussion of each TV being coupled to the HAVI network, and therefore, inherently must be HAVI compliant in order to function within the network [0002 & 0014].

Regarding claim 20, the claimed "parent controller device of claim 19 wherein the parent controller device is a HAVI compliant device" is met by the discussion of each TV being coupled to the HAVI network, and therefore, inherently must be HAVI compliant in order to function within the network [0002 & 0014].

Regarding claim 21, the claimed "parent controller device of claim 20 wherein the parent controller device is a full audiovisual node (FAV) device" is met by the discussion of the master controller being able to recognize and control a slave device within a HAVI network [0002].

Regarding claim 22, the Sitnik reference discloses all of that which is discussed with regard to the claimed "method of monitoring audiovisual (AV) content on a child device using a parent controller device" as follows:

- The claimed step of "accessing AV content directed to the child device by the parent controller device" is met by the ability to query the child television and display frames of currently viewed content [paragraph 0016].
- The claimed step of "determining if the AV content includes a specified content" is met by the ability for the parent to query a child television in order to establish what kind of content is currently being watched [0007-0008].

The Sitnik reference does not teach the step of "generating a warning on a display on the parent controller device when the AV content includes the specified content".

The Kerman reference teaches an alarm warning, which warns parents using an audible or visible alarm when an undesirable program is being received by the child's device [col. 8, line 60 – col. 9, line 5].

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a warning notification of undesirable content (as taught by Kerman), in order to allow the parent to be alerted when a young child selects a television program which has content that the parent or guardian considers to be inappropriate for the child.

Regarding claim 23, the claimed “method of claim 22 further comprising displaying the AV content directed to the child device on the display of the parent controller device” is met by the Sitnik reference, which discloses the ability to display the child's content on the parent's device [0016].

Regarding claim 24, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 23. However, the Sitnik reference does not teach the claimed “method of claim 23 further comprising the step of inputting the specified content on a user interface of the parent controller device”. This claim is met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value; upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 25, the Sitnik and Kerman references teach all of that which is discussed above with regards to claim 24. However, the Sitnik reference does not teach the claimed “method of claim 24 wherein specified content is chosen from the group consisting of: explicit lyrics, explicit topics, or program titles”. This claim is, again, met by the Kerman reference, wherein it discloses the ability for the user to initially set a predetermined MPAA rating value (industry standard ratings for defining the explicitness of a program); upon which the alarm is activated if that value is reached [col. 8, line 60 – col. 9, line 5]. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to input the specified content, in order to allow customizability and further control over the parental control system.

Regarding claim 26, the claimed “method of claim 23 further comprising displaying AV content directed to the parent controller device on the display of the parent controller device concurrently with the AV content directed to the child device” is met by the ability for the master TV to display its received signal and the second received signal from the slave TV as a PIP window [0003], as disclosed in the background of the invention with regards to prior art Hiyoshi.

Regarding claim 27, the Sitnik reference discloses all of that which is discussed with regard to the claimed “computer readable medium comprising instructions, which when executed on a processor, **perform a method for compressing data**” (emphasis added by Examiner – see claim objections above) as follows:

- The claimed step of “accessing AV content directed to the child device by the parent controller device” is met by the ability to query the child

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television and display frames of currently viewed content [paragraph 0016].

- The claimed step of “determining if the AV content includes a specified content” is met by the ability for the parent to query a child television in order to establish what kind of content is currently being watched [0007-0008].

The Sitnik reference does not teach the step of “generating a warning on a display on the parent controller device when the AV content includes the specified content”.

The Kerman reference teaches an alarm warning, which warns parents using an audible or visible alarm when an undesirable program is being received by the child’s device [col. 8, line 60 – col. 9, line 5].

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a warning notification of undesirable content (as taught by Kerman), in order to allow the parent to be alerted when a young child selects a television program which has content that the parent or guardian considers to be inappropriate for the child.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hiyoshi (JP10-248020-A), published 14 September 1998, discloses a system for parental control and monitoring of multiple child televisions in a home network.

Borgstahl (USP 6,487,180) discloses a system using wireless links for transmitting notifications to users.

Courtney (USP 6,385,772) discloses another monitoring system having wireless remote viewing and network control functionality.

Miyagawa (EP 0369382A2) discloses a home bus-information display system for controlling and displaying the status for a plurality of home apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon whose telephone number is (571) 272-7356. The examiner can normally be reached Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(571) 272-2600**.

Michael R Shannon
Examiner
Art Unit 2614

Michael R Shannon
April 12, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600